

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 05-40063-GAO

COY PHELPS,  
Representing a Class of Similarly Situated Unconvicted  
Federal Civilly Committed Mental Patients in the U.S. Bureau of Prisons System,  
Plaintiffs

v.  
A. GONZALEZ, H. LAPPIN, and D. WINN,  
Defendants.

MEMORANDUM AND ORDER

March 31, 2006

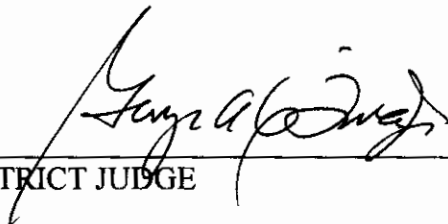
O'TOOLE, D.J.

Coy Phelps has filed a putative class action civil rights complaint against the defendants. The complaint specifically states that Phelps "is not acting as a member of this class but is acting only as a representative of the class until the court appoints counsel." He further states that he "already has a personal action in court with these issues."

From these statements it is clear that the plaintiff lacks standing to assert the rights of persons other than himself. The complaint therefore is DISMISSED.

It is SO ORDERED.

March 31, 2006  
DATE

  
DISTRICT JUDGE